

# **EXHIBIT 3**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

IN RE: COLGATE-PALMOLIVE	)	MDL Docket No. 12-md-2320-PB
SOFTSOAP ANTIBACTERIAL HAND	)	
SOAP MARKETING AND SALES	)	ALL ACTIONS
PRACTICES LITIGATION (MDL No. 2320)	)	
	)	

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**AFFIDAVIT OF JORDAN L. CHAIKIN IN SUPPORT OF PLAINTIFFS' MOTION FOR  
AWARD OF ATTORNEYS' FEES, EXPENSES, AND REPRESENTATIVE  
PLAINTIFFS' INCENTIVE PAYMENTS**

I, Jordan L. Chaikin, am over the age of eighteen (18) and otherwise competent to testify to all facts and/or opinions contained in this Affidavit.

1. I am the Managing Partner of the law firm of Parker Waichman LLP. I make this Affidavit of my own personal knowledge, and if called to do so, I could testify competently to the matters stated herein. I was appointed to the Plaintiffs' Steering Committee in this litigation.

2. I am an attorney admitted to practice in the Florida. I have also been admitted generally in federal courts in Florida, as well as pro hac vice in state and federal courts in New Jersey, New York, California, Illinois, and Missouri, among others. I lead my firm's aggregate litigation department and have been appointed as co-lead, steering committee and executive committee and class counsel in a variety of consumer, product liability litigations. My credentials include successful prosecution of class actions in state and federal court resulting in recoveries of hundreds of millions of dollars. A copy of my curriculum vitae is attached hereto as *Exhibit A*.

3. This Affidavit is provided in support of Plaintiffs' Motion for Award of Attorneys' Fees, Expenses, and Representative Plaintiff's Incentive Payments. I have personal knowledge of the time keeping, expense tracking and systems of my law firm.

4. From the inception of this litigation through July 31, 2015, Parker Waichman LLP has expended 425.75 hours of work in connection with this litigation. Based upon our customary rates in this type of litigation, the lodestar value of that time is \$ 213,306.25.

5. My firm's work on this case was performed on a wholly contingent basis pursuant to contingency fee contracts with the named Plaintiffs. Parker Waichman LLP has not received any amounts in connection with this case either as fee income or expense reimbursement. Additionally, all expense amounts were incurred and paid by my firm out of operating funds.

6. Shown below is a true and correct summary identifying the attorneys who have worked on this litigation, the number of hours those individuals worked, their regular hourly billing rates and their respective lodestar values.

7. The hourly rates shown below are the usual and customary rates charged in Florida and the national venues in which the firm typically handles cases for each individual doing the type of work performed on this litigation. These rates are not adjusted, notwithstanding the complexity of this litigation, the skill and tenacity of the opposition, the preclusion of other employment, the delay in payment or any other factors that could be used to justify a higher hourly compensation. Additionally, Parker Waichman LLP has been retained on hourly matters at these rates and I have personally been paid retainers based on these rates.

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Jordan Chaikin	Managing Partner	198.50	\$650.00	\$129,025.00
April Goodwin	Associate Attorney	190.50	\$400.00	\$76,200.00
Dan Calvert	Associate Attorney	14.0	\$350.00	\$5,040.00
Heidi Szolga	Paralegal	8.0	\$75.00	\$600.00
Roy Cronin	IT	14.75	\$175.00	\$2,581.25
<b>TOTALS:</b>		<b>425.75</b>		<b>\$213,446.25</b>

8. These amounts were derived from contemporaneous daily time records compiled on this matter, which are recorded in our computerized database. The firm requires regular and contemporaneous recording of time records, which occurred in this case.

9. The lodestar summary reflects Parker Waichman's experience in the field, the complexity of the matters involved in this litigation, and the prevailing rate for providing such services.

10. Parker Waichman LLP has advanced a total of \$5,556.62 in expenses reasonably and necessarily incurred in connection with the prosecution of this litigation. They are broken down as follows:

<i><b>EXPENSE CATEGORY</b></i>	<i><b>AMOUNT</b></i>
Court/Filing Fees	\$400.00
Travel, Meals, Hotels & Transportation	\$417.62
Postage/Overnight Delivery	\$ 00.00
Internal reproduction	\$510.50
Experts/consultants	\$0.0
Data Extraction	\$4,228.40
Litigation Fund Contributions	\$ 0.0
<i><b>TOTAL:</b></i>	<i><b>\$5,556.62</b></i>

11. These expenses are reflected in the books and records regularly kept and maintained by my firm.

12. In my opinion, the time expended and expenses incurred in prosecuting this action were reasonable and necessary for the diligent litigation of the matter.

13. The terms of the Settlement Agreement were reached after extensive negotiations and through investigation by experienced counsel on both sides and after earnest, knowledgeable, arms-length, and difficult negotiations.

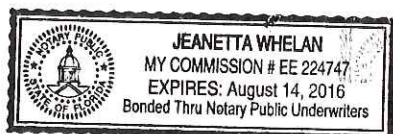
14. It was only after resolving all the settlement provisions that provide relief to the class that Plaintiffs' and Defendant's counsel began negotiating payment of attorneys' fees, costs, and incentive payments.

15. During the course of the Litigation, the representative Plaintiffs were invaluable to the prosecution of the Litigation. These representative Plaintiffs were actively involved throughout the process, including the initial investigation which required researching and gathering supporting documents, exemplars, and information, communicating with Plaintiff's counsel including asking questions and providing input regarding the litigation, responding to written discovery, and appearing for depositions. Before agreeing to the settlement, they played an active role in the settlement process and examined the scope and nature of the relief in the Settlement Agreement in detail, including discussing the same with counsel for Plaintiffs, which sometimes necessitated multiple discussions. But for the Plaintiffs stepping forward and prosecuting the Litigation, the members of the class would not have had the issues raised in the Complaint remedied. For these reasons, I believe that the requested incentive awards in the sum of \$2,500 per Plaintiff are fair, adequate and reasonable given each Plaintiff's substantial services on behalf of the Class.

16. The proposed payment of attorneys' fees, litigation expenses and costs, and service payments will be paid separately from the relief afforded to members of the class and will not, in any way, diminish the relief afforded to members of the class. Moreover, other than the named Plaintiffs, the relief afforded does not preclude any member of the Settlement Class from initiating a claim for damages.

  
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 Jordan L. Chaikin

Subscribed and sworn to before me this 31 day of July, 2015.



  
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 (Notary Public)

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**Partner**  
**Parker Waichman LLP**  
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**Bonita Springs, Florida 34134**  
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## **CURRICULUM VITAE**

### **EDUCATION**

University of Florida – B.A. 2001  
Stetson University College of Law – J.D. 2004

### **STATE COURT BAR ADMISSIONS**

Florida – 2004

### **FEDERAL COURT BAR ADMISSIONS**

United States District Court – Middle District of Florida – 2005  
United States District Court – Southern District of Florida – 2008  
United States District Court – Northern District of Florida – 2009

### **MDL INVOLVEMENT**

In re: Dial Complete Marketing and Sales Practices Litigation  
MDL No. 2263  
United States District Court, District of New Hampshire  
Plaintiffs' Steering Committee

In re: Colgate-Palmolive Softsoap Antibacterial Hand Soap Marketing and Sales  
Practices Litigation  
MDL No. 2320  
United States District Court, District of New Hampshire  
Plaintiffs' Steering Committee

In re: MI Windows and Doors, Inc., Products Liability Litigation  
MDL No. 2333  
United States District Court, District of South Carolina  
Plaintiffs' Steering Committee

*Curriculum Vitae* of Jordan L. Chaikin  
Page Two

In re: Emerson Electric Co. Wet/Dry Vac Marketing and Sales Litigation  
MDL No. 2382  
United States District Court, Eastern District of Missouri  
Plaintiffs' Executive Committee

In re: Atlas Roofing Corporation Chalet Shingle Products Liability Litigation  
MDL No. 2495  
United States District Court, Northern District of Georgia  
Plaintiffs' Steering Committee

In re: Pella Corporation Architect and Designer Series Windows Marketing, Sales  
Practices, and Products Liability Litigation  
MDL No. 2514  
United States District Court, District of South Carolina  
Plaintiffs' Steering Committee

In re: AZEK Building Products, Inc. Marketing and Sales Practices Litigation  
MDL No. 2506  
United States District Court, District of New Jersey

In re: Building Materials Corporation of America Asphalt Roofing Shingle Products  
Liability Litigation  
MDL No. 2283  
United States District Court, District of South Carolina  
Class Counsel

In re: Chinese-Manufactured Drywall Products Liability Litigation  
MDL No. 2047  
United States District Court, Eastern District of Louisiana

In re: KABA Simplex Locks Marketing and Sales Litigation  
MDL No. 2220  
United States District Court, Northern District of Ohio

In re: Apple iPhone 3G and 3GS "MMS" Marketing and Sales Practices Litigation  
MDL No. 2116  
United States District Court, Eastern District of Louisiana

In re: Kugel Mesh Hernia Patch Products Liability Litigation  
MDL No. 1842  
United States District Court, District of Rhode Island

In re: Gadolinium Contrast Dyes Products Liability Litigation  
MDL No. 1909  
United States District Court, Northern District of Ohio

*Curriculum Vitae* of Jordan L. Chaikin  
Page Three

In re: DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation  
MDL No. 2197  
United States District Court, Northern District of Ohio

In re: Denture Cream Products Liability Litigation  
MDL No. 2051  
United States District Court, Southern District of Florida

In re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico  
on April 20, 2010  
MDL No. 2179  
United States District Court, Eastern District of Louisiana

In re: Heparin Products Liability Litigation  
MDL No. 1953  
United States District Court, Northern District of Ohio

In re: Imprelis Herbicide Marketing, Sales Practices and Products Liability Litigation  
MDL No. 2284  
United States District Court, Eastern District of Pennsylvania

Eliason, et al. v. Gentek Building Products, Inc.  
United States District Court, Northern District of Ohio  
Case No. 1:10-cv-2093  
Plaintiffs’ Executive Committee

United Desert Charities, et al. v. Sloan Valve Company, et al.  
Case No. 2:12-cv-06878-SJO-SH  
United States District Court, Central District of California  
Settlement Class Counsel

Smith, et al. v. Volkswagen Group of America, Inc.  
Case No. 3:13-cv-00370-MJR-PMF  
United States District Court, Southern District of Illinois  
Class Counsel

Kacsuta, et al. v. Lenovo (United States) Inc.  
Case No. 8:13-cv-00316-CJC-RNB  
United States District Court, Central District of California  
Settlement Class Counsel

In re: 5-Hour Energy Marketing and Sales Practices Litigation  
MDL No. 2438  
United States District Court, Central District of California



*Curriculum Vitae* of Jordan L. Chaikin  
Page Four

**PRESENTATIONS - SPEAKING ENGAGEMENTS**

Speaker – HarrisMartin Publishing, Chinese Drywall Litigation Conference  
“Legal Liability of Foreign Corporations - Working Through The Hague Convention”  
Orlando, Florida - June 4-5, 2009

Speaker – HB Litigation Conferences, Chinese Drywall Conference  
“History of the Chinese Drywall Problem in the United States”  
New Orleans, Louisiana - June 18, 2009

Speaker – HarrisMartin Publishing, Construction Product Litigation Conference  
“Discussion of Current Alleged Construction Defect Cases”  
Miami Beach, Florida, October 25, 2013

Speaker – HarrisMartin Publishing, Lumber Liquidators Flooring Litigation  
Conference  
“Class Action or Mass Tort”  
Minneapolis, Minnesota, May 27, 2015

**Parker Waichman LLP** is nationally recognized as a leader in the field of personal injury negligence law and mass tort litigation. Our personal commitment to our clients and good, old-fashioned hard work by our attorneys and support staff are the major factors in gaining their respect and loyalty. We pride ourselves on staying abreast of trends and developments in the law so that our clients can reap the benefits of any changes in the law or new interpretations of existing law. We have met the challenges presented by today's landmark cases by winning precedent setting victories, by advocating new theories of liability and recovery and by fostering ground breaking legislation in some of the most significant cases of our time.

**Parker Waichman LLP** litigates cases involving mass torts, class actions, motor vehicle accidents, defective products, medical and other professional malpractice, defective and dangerous drugs, defective medical devices, construction site accidents, general negligence, nursing home negligence and abuse, municipal liability, toxic substances, lead poisoning, sexual abuse, clergy abuse, negligent supervision, insurance bad faith, consumer fraud, and whistleblower cases. We are involved in litigation involving environment disasters such as Hurricane Katrina Levee failures and toxic-trailers scandal as well as complex litigation involving chemical exposure, spills, contamination, fires and explosions. We are advocates for veterans of our armed forces providing legal representation to guide them through the complex regulations of a Veteran's Disability case. We work with clients nationwide assisting them in successfully negotiating the complex administrative process of social security disability claims. We are proud recipient of a Martindale-Hubbell rating of "AV<sup>®</sup> Preeminent<sup>™</sup> 5.0 out of 5", the firms' founding partners are members of the Million Dollar Advocates Forum, and a founding partner has been voted by peers into Best Lawyers<sup>®</sup> for Personal Injury

Litigation. We pride ourselves on being one of the most technologically advanced law firms in the country, and our-state-of-the-art computerized case management system, which we designed from the ground up, integrates every aspect of law office management.

The firms' partners and associates have been appointed to numerous committees and sub-committees in various multi-district litigations. These include memberships in the Executive Committee of the Plaintiffs' Steering Committee, Prozac Multi-District Litigation No. 907; Plaintiffs' Steering Committee for the World Trade Center Bombing Litigation; New York State Diet Drug – Steering Committee for Fen-Phen; New York State Steering Committee for Rezulin Litigation; Plaintiffs' Steering Committee and Discovery Subcommittee – Zyprexa Multi-District Litigation No. 1596; Nursing Home Litigation Group of the American Association for Justice, Million Dollar Advocates Forum; American Association for Justice Leader's Forum; Member of the Executive Committee of the Plaintiffs' Steering Committee, MDL #1742, In re Ortho Evra Products Liability Litigation; Co-Chair, American Association for Justice (AAJ), Ortho Evra Litigation Group, Plaintiffs' Steering Committee Kugel Mesh Multi-District Litigation No. 1842; Plaintiffs' Steering Committee for the New York State Bausch & Lomb, ReNu with MoistureLoc Litigation as well as the Plaintiffs' Steering Committee Gadolinium Multi-District Litigation No. 1909; Co-Chair, Discovery Committee Vytorin Multi-District Litigation No. 1938; Plaintiffs' Steering Committee and Trial Team Member Chinese-Manufactured Drywall Multi-District Litigation No. 2047; Co-Lead Plaintiffs' Steering Committee for Denture Cream Multi-District Litigation No. 2051; Discovery and Expert Sub-Committees of the Plaintiffs' Steering Committee for the Denture Cream Multi-District Litigation No. 2051; Discovery and Law & Briefing Sub-Committees for Denture Cream Multi-District Litigation No. 2051; Plaintiffs' Steering Committee for Yasmin & Yaz (Drospirenone) Marketing, Sales Practices & Products Liability Multidistrict Litigation No. 2100; Discovery Sub-Committee for Yasmin & Yaz (Drospirenone) Marketing, Sales Practices & Products Liability Multidistrict Litigation No. 2100; Plaintiffs' Steering Committee for Heparin Multi-District Litigation No. 1953; Plaintiffs' Steering Committee for Digitek Multi-District Litigation No. 1968; Member of the Executive Committee of the Plaintiffs' Steering Committee for Bayer Multi-District Litigation No. 2023; Bellwether Preparation Committee for Ortho Evra Products Liability Litigation Multi-District Litigation No. 1742; Expert Committee for Kugel Mesh Products Liability Multi-District Litigation No. 1842; Bayer Discovery Committee for Gadolinium Products Liability Litigation Multi-District Litigation No. 1909; the Law and Briefing and Discovery Sub-Committees of the Plaintiffs' Steering Committee for the Guidant

Multi-District Litigation No.05-1708; Plaintiffs' Steering Committee Kaba Keyless Pushbutton Lock Multi-District Litigation No. 2220; Law and Briefing, Damages and Client Relations Committee for Apple iPhone 3G and 3GS Marketing and Sales Practices Multi-District Litigation No. 2116; Law and Pleading and Discovery Committees for Light Tobacco Marketing Litigation Sales Practices Multi-District Litigation No. 2068; Plaintiffs' Steering Committee, Ford Navistar Diesel Engine Products Liability Multi-District Litigation No. 2223; Plaintiffs' Steering Committee In re Dial Complete Marketing and Sales Practices Multi-District Litigation No. 2263; Plaintiffs' Steering Committee In re Colgate-Palmolive Softsoap Antibacterial Soap Hand Soap Marketing and Sales Practices Multi-District Litigation No. 2320; Plaintiff's Steering Committee American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation No. 2325 (through 2103); Plaintiff's Steering Committee Boston Scientific Corp., Pelvic Repair Systems Products Liability Litigation No. 2326n (through 2013); and Plaintiff's Steering Committee Ethicon, Inc., Pelvic Repair Systems Products Liability Litigation No. 2327 (through 2013); Plaintiffs' Steering Committee In re MI Windows and Doors, Inc., Products Liability Multi-District Litigation No. 2333; Plaintiff's Steering Committee for Biomet M2a Magnum Hip Implant Products Liability Litigation No. 2391; Co-Lead Plaintiff's Steering Committee Mirena IUD Products Liability Litigation No. 2434; Plaintiff's Steering Committee, In Re Long Island Power Authority Hurricane Sandy Litigation, No. 602288/2012; Plaintiff's Executive Committee, In re: Emerson Electric Co. Wet/Dry Vac Marketing and Sales Litigation No. 2382; Plaintiff's Steering Committee for Atlas Roofing Corporation Chalet Single Product Liability Litigation MDL No. 2495; Plaintiff's Steering Committee for In Re Pella Corporation Architect and Designer Series Windows Marketing, Sales Practices and Products Liability Litigation MDL No. 2514; Class Counsel, Kacsuta, et al v. Lenovo (United States) Inc., USDC, Central District of California, Case No. SACV 13-00316-CJC; Class Counsel, Smith, et al. v. Volkswagen Group of America, Inc., USDC, Southern District of Illinois, Case No. 13-cv-00316-CJC; and Class Counsel, In re: Building Materials Corporation of America Asphalt Roofing Shingle Products Liability Litigation, MDL No. 8:11-mn-02000-JMC.

**Parker Waichman LLP** maintains offices in New York, New Jersey and Florida and is staffed by 25 attorneys and more than 100 paralegals, legal assistants and other support staff.